

YBE1-BQ62



MXP#3

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph Neev, et al.

Serial No.: 09/878,002

Filed: June 8, 2001

For: METHOD AND APPARATUS FOR
TISSUE TREATMENT AND
MODIFICATION

Patent Examiner:

Art Unit: 2881

COPY OF PAPERS
ORIGINALLY FILED

January 2, 2002

Irvine, California 92614

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Box Missing Parts

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 16, 2001, please find enclosed the following:

1. A Declaration and Power of Attorney signed by one of the inventors, Joseph Neev.
2. A Petition Under Rule 47 regarding inability to locate the other inventor, Oleg Konoplev, including Declaration of Joseph Neev with attached exhibits in support.
3. A check in the amount of \$655.00 in payment of the surcharge for late filing of the Declaration (37 C.F.R. Section 1.16(e)) and petition fee (37 C.F.R. Section 1.178).

4. A copy of formalities letter regarding Notice to File Missing Parts of Nonprovisional Application.

5. Substitute formal drawings in compliance with 37 C.F.R. Section 1.84 as required in the formalities letter.

6. Petition requesting three month extension of time and required fee.

Please charge any additional fees required to our deposit account No. 16-2462. A duplicate copy of this letter is enclosed for that purpose.

Kindly contact the undersigned attorney at the listed telephone number if a telephone call would expedite matters.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on January 2, 2002.

By: Sandy Malec

Sandy Malec
Signature

Date: January 2, 2002

Respectfully submitted,

PRICE AND GESS


Albin H. Gess
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/878,002	06/08/2001	Joseph Neev	16224-16/NEC



STRADLING YOCOA CARLSON & RAUTH
IP Department
660 Newport Center Drive, Suite 1600
P.O. Box 7680
Newport Beach, CA 92660-6441

CONFIRMATION NO. 1771
FORMALITIES LETTER



Date Mailed: 08/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

Lillian
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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